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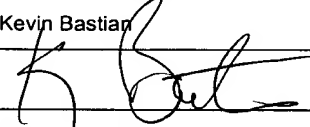
Approved for use through 10/31/2002. OMB 0651-0031

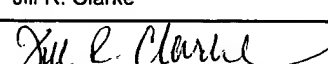
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		<b>Application Number</b>	09/856,391
		<b>Filing Date</b>	May 21, 2001
		<b>First Name of Inventor</b>	Marth, Jamey D.
		<b>Group Art Unit</b>	Not yet assigned
		<b>Examiner Name</b>	Not yet assigned
<b>Total Number of Pages in This Submission</b>	1	<b>Attorney Docket Number</b>	19452A-000320US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication Under 37 C.F.R. 1.821-1.825 and Preliminary Amendment (3 pgs.), Version with Markings to Show Changes Made (1 pg.), Copy of Notification of Missing Requirements mailed 21 JUN 2001 (1 pg.), Sequence Listing: 2 pgs. paper copy, 1 computer readable copy (disk); Notification of Defective Response/ 371 Formalities Letter (2 pgs.); and Return Postcard
<b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
<b>Firm and Individual name</b>	Townsend and Townsend and Crew LLP Kevin Bastian
<b>Signature</b>	 Reg. No. 34,774
<b>Date</b>	March 11, 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: US Patent and Trademark Office, Box Sequence, Arlington, VA 22202 on this date: <span style="border: 1px solid black; padding: 2px;">March 11, 2002</span>	
<b>Typed or printed name</b>	Jill R. Clarke
<b>Signature</b>	 <b>Date</b> March 11, 2002

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SF 1325132 v1

KL Bastian

19452A-000320US



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856,391	Jamey D MARTH	19452A-000320US

INTERNATIONAL APPLICATION NO.
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PCT/US99/27465

I.A. FILING DATE	PRIORITY DATE
11/20/1999	11/21/1998

Kevin L Bastian  
 Townsend and Townsend and Crew  
 Two Embarcadero Center 8th Floor  
 San Francisco, CA 94111

CONFIRMATION NO. 7913

371 FORMALITIES LETTER



\*OC00000007467705\*

**Response Due**

3-14-02 ns

Date Mailed: 02/14/2002

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an

amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/856,391	PCT/US99/27465	19452A-000320US